

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RICHARD FEDIO,)	
)	2:03-cv-1944
Plaintiff,)	
v.)	Judge McVerry
)	Magistrate Judge Caiazza
EQUITABLE RESOURCES, INC.,)	
)	
Defendant.)	

MEMORANDUM ORDER

On December 22, 2003, this case was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On February 7, 2006, the magistrate judge issued a Report and Recommendation (Document No. 44) in which he recommended that Defendant's Motion for Summary Judgment (Document No. 29) be granted. Service of the Report and Recommendation was made on the parties, and the Plaintiff filed objections on February 23, 2006. *See* Document No. 45.

After a *de novo* review of the pleadings and all filings in the case, together with the Report and Recommendation and the objections thereto, the following Order is entered:

AND NOW, this 8th day of March, 2006, it is hereby **ORDERED, ADJUDGED and DECREED** that the Defendant's Motion for Summary Judgment (Document No. 29) is **GRANTED**.

The Report and Recommendation dated February 7, 2006 is adopted as the opinion of the District Court.

BY THE COURT:

s/ Terrence F. McVerry
United States District Judge

cc: Edward A. Olds, Esquire
Email: edolds@earthlink.net
Michael J. Lorence, Esquire
Email: lorence@lcsys.net

Joseph P. McHugh, Esquire
Email: jmchugh@reedsmith.com
Martha Hartle Munsch, Esquire
Email: mmunsch@reedsmith.com